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# I'd sooner resign than fool Congress, says CIA nominee

WASHINGTON [AP]—Robert M. Gates, President Reagan's nominee to run the CIA, said Tuesday he would consider resigning if he ever were asked to hide a covert action from Congress for more than a few days.

In close questioning during his confirmation hearing about the administration's Iran arms sales, Gates acknowledged for the first time that the Central Intelligence Agency had violated its understanding with Congress by waiting more than 10 months to disclose the Iran initiative.

A 1980 agreement made it clear that key members of Congress expected to be notified within "a few days" of covert intelligence actions, but the Reagan administration never conceded that interpretation, Gates said.

In the case of the Iran deal, "I believe the long period of withholding went beyond the bounds of the compromise of 1980," Gates said. "I believe it stretched the comity between

the two branches to the breaking point."

He promised to the Senate Intelligence Committee that in the future he would not consider such a long delay in congressional notification.

"The President could decide otherwise, and the committee needs to know that I would not be disloyal or insubordinate to the President," he said.

But if such a presidential directive would hurt CIA relations with Congress, "I would contemplate resignation under those circumstances."

Gates also acknowledged that the agency had shown "shortcomings" during the entire Iran-Contra affair.

"Our officers violated our own internal regulations in facilitating a flight in November, 1985" that carried weapons to Iran, he said. "We did not communicate well enough internally about what was going on. We should have protested more vigorously our involvement in an operation where there were significant elements unknown to us and where we

mistrusted key figures.

"We tolerated ground rules suggested by others that excluded our own experts. ... I also believe the CIA made an error in not pressing to reverse the directive to withhold prior notification once the operation began to string out in February, 1986. The entire undertaking was a unique activity that we are all determined not to repeat."

In response to questions, Gates told the panel that revisions made in then-director William J. Casey's prepared testimony for the panel late last year were made not because there had been an attempt to mislead Congress but because the agency itself was having difficulty in determining the facts.

A reference in an early draft of the testimony stated that no one in the agency had been aware that there were weapons on a plane which the CIA had arranged to fly to Tehran in November, 1985. "In fact, some of our overseas officers had known or suspected what was on that plane," Gates said.

He said his own lack of knowledge about details of the Iran initiative was due in part to an "informal division of labor" in which Casey took the lead on Iran and Central American matters.

Gates also told the panel that he had heard only "flimsy speculation" about the diversion of Iranian arms sales profits to Nicaraguan guerrillas before the matter became public in November.